IN THE UNITED STATES PATENT AND TRADEMARK

Box New Patent Applications
Honorable Commissioner for Patents
Washington, D.C. 20231

Attorney's Docket No.: 60617.300901

FILING TRANSMITTAL

Transmitted herewith for filing is the Patent Application of : **TSAI et al.**

For: **"WAVELENGTH DIVISION MULTIPLEXING AND DE-MULTIPLEXING SYSTEM"**

ENCLOSURES

- ☒ 47 page application including specification, claims, abstract; 3 page correspondence chart;
- ☒ 26 sheets (Figs. 1 – 33) of ☐ informal/☒ formal drawings;
- ☒ A Declaration, Power of Attorney & Petition (☒ signed/☐ unsigned);
- ☒ A postcard for return to us as proof of receipt of the referenced documents.

and

- ☐ An Assignment of the invention with an assignment cover sheet;
- ☒ Applicant claims small entity status (Under 37 CFR 1.27);
- ☐ IDS (form PTO-1449) and copies of references;
- ☐ An Associate Power of Attorney;
- ☐ A certified copy of the priority document (Under 35 USC 119);
- ☐ A Power of Attorney by Assignee;
- ☒ Other: Nonpublication Request Under 35 USC 122(b)(2)(B)(i) – 1 page

TYPE OF FILING

- ☒ This application claims the benefit of an earlier filed Patent Application Number 09/953,468, filed September 14, 2001 (35 USC 120).
- ☐ This application claims the benefit of the priority date of an earlier filed U.S. Provisional Patent Application Serial _____, filed _____ (35 USC 119).
- ☐ This is an application filed pursuant to 37 CFR 1.53, permitting receipt of a filing date upon filing of specification, claims and drawings, if required, with applicant being given a period of one month from the date of notice to file the fee and oath or declaration.
- ☒ In the event any parts of this application are missing, please treat this as a filing under 37 CFR 1.53 as defined just above.

CERTIFICATE OF MAILING (37 CFR 1.10(A))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited with the U. S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as Express Mail No. EV0403760028US addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date: November 9, 2001

Lori Cox

Attorney Docket No.: 60617.300901
PATENT FILING TRANSMITTAL

FEE CALCULATION

The filing fee has been calculated as shown below:

					SMALL ENTITY	OR	OTHER THAN A SMALL ENTITY	
BASIC FEE Design Patent					$165	$0	$330	$
BASIC FEE Utility Patent					$370	$0	$740	$370
EXTRA FEES					RATE	$0	RATE	FEE
Total claims	60	minus 20 =	40		x9 =	$0	x18 =	$360
Independent Claims	4	minus 1 =	1		x42 =	$0	x84 =	$42
☐ Multiple Dep. Claim					+140 =	$0	+280 =	$
☐ Assignment					+40 =	$0	+40 =	$0
☐ Rule 53 Surcharge					+65 =	$0	+130 =	$
TOTAL						$0		**$772**

FEE PAYMENT

☒ Attached is Check No. 126952 in the sum of $848.^{00} for the cost of the filing fee, claims.

☐ Please charge Account No. 02-3964 the sum of $_____

Opps, please credit
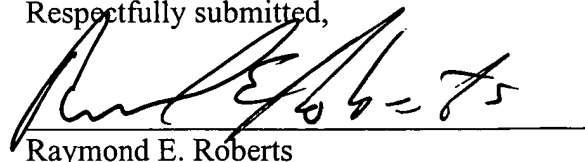
FEE DEFICIENCY

☐ Please charge Account No. 02-3964 in the sum of $_____

☒ The Commissioner is authorized to charge (or credit any overpayment) to deposit account No. 02-3964:

  ☒ Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.

  ☐ Assignment Recordal fees.

☒ The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, <u>if not paid prior to due date</u> to our Deposit Account No. 02-3964.

☒ A duplicate copy of this sheet is enclosed.

Dated: 9/11/01

Respectfully submitted,

Raymond E. Roberts
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NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	John Tsai
	Title	WAVELENGTH DIVISON MULTIPLEXING AND DE-MULTIPLEXING SYSTEM
	Atty Docket Number	60617.300901

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Nov 9, 2001
Date

[signature]
Signature

Raymond E. Roberts
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing.**

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**